IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

WP(C).No. 34957 of 2007(J)

PETITIONER:

M/S. SUNNY JACOB JEWELLERS,
GOLD HYPER MARKET, HEERA PLAZA, MAIN ROAD,
CHINNAKADA, KOLLAM, REPRESENTED BY ITS MANAGING
PARTNER SUNNY JACOB, AGED 43 YEARS, S/O. MATHEW
CHACKO, KALLATHIL HOUSE, VEROOR P.O.,
CHANGANASSERI, KOTTAYAM.

BY ADV. SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.

RESPONDENTS:

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1. ASSISTANT PROVIDENT FUND COMMISSIONER,
EMPLOYEES' PROVIDENT FUND ORGANISATION, KERALA,
KOLLAM SUB-REGIONAL OFFICE, BHAVISHYANIDHI BHAVAN,
MANNANIYA COMPLEX, ANDAMUKKAM, CHINNAKADA,
KOLLAM-691 001.

2. THE ENFORCEMENT OFFICER,
EMPLOYEES' PROVIDENT FUND ORGANISATION,
KOLLAM SUB-REGIONAL OFFICE, BHAVISHYANIDHI BHAVAN,
MANNANIYA COMPLEX, ANDAMUKKAM, CHINNAKADA,
KOLLAM-691 001.

BY ADV. SRI.N.N.SUGUNAPALAN (SR.)
SMT.T.N.GIRIJA, SC, EPF ORGANISATION

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C) No. 34957 of 2007(J)

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Dated this the 14th day of December, 2007

JUDGMENT

Against Ext.P1 passed under Section 7A of the Employees Provident Fund & Miscellaneous Provisions Act, petitioner filed Ext.P2 application under Section 7B of the Act seeking review of that order. The petitioner received the letter intimating the date and time of hearing of the petition under Section 7B after the date fixed for the hearing. In the meanwhile, by Ext.P5 the 2nd respondent has initiated proceedings for recovery of the amount covered by Ext.P1 order. The petitioner challenges Ext.P5. The learned standing counsel submits that petitioner's Ext. P2 application could be considered afresh in accordance with law. This submission is recorded and the writ petition is disposed of with a direction not to proceed with Ext.P5 until disposal of Ext.P2.

Sd/-

S.SIRI JAGAN,

JUDGE

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